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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,
12 Plaintiff,

13 v.
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15 ROBERT CRONIN,
16 Defendant.
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) Criminal No. 01cr2333-L
)
)

ORDER:

) **(1) DENYING DEFENDANT'S**
) **MOTION REQUESTING AN**
) **ORDER TO PLACE DEFENDANT**
) **IN THE 500 HOUR RESIDENTIAL**
) **DRUG & ALCOHOL PROGRAM;**
) **and**

) **(2) DENYING DEFENDANT'S**
) **MOTION TO ADD AN ADDENDUM**
) **AND/OR CORRECT THE**
) **PRESENTENCING REPORT**
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)

20 Defendant Robert Cronin, a federal inmate proceeding pro se, has submitted a motion
21 requesting the Court to order his placement in the 500-hour Bureau of Prison's residential drug
22 and alcohol treatment program. Although the Court may recommend placement in such a
23 program at the time of sentencing, it has no jurisdiction to order Defendant's placement in such a
24 program; authority over that decision is held by the executive branch. *See* 18 U.S.C. § 4042.
25 Accordingly, Defendant's Motion Requesting an Order to Place Defendant in the 500 Hour
26 (RDAP) Residential Drug & Alcohol Program is **HEREBY DENIED**.

27 Defendant has also filed a motion to add an addendum to or correct the Presentence
28 Report. This motion was filed on February 6, 2007, more than four years after the judgment in

1 this case became final.¹ Thus, the Court now lacks authority to correct or modify the
2 Presentence Report. Therefore, Defendant's Motion to Add an Addendum and/or Correct the
3 Presentencing Report is **HEREBY DENIED**.

4 **IT IS SO ORDERED.**

5 DATED: September 21, 2007

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7 M. James Lorenz
8 United States District Court Judge
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28 ¹ As no notice of appeal was filed, Defendant's conviction became final on November
23, 2002, ten days following the entry of judgment.